



March 2006

THE LATEST NEWS IN THE WORLD OF CM/ECF

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What's New?

W. Yvonne Evans, Clerk of Court, presented a Bankruptcy Law Update as part of the State Bar Association Program held February 16, 2006.

Attorneys received copies of pages from the Court's web site, including the main page, the page regarding BAPCPA, New Local Procedures, General Orders, and the Official Forms. Since we use the web site as a critical tool for communication, everyone was encouraged to take a look at the Court's web site from time to time. Attorneys were also encouraged to open and read e-mail messages from the Court. E-mail from Mike Smith will communicate changes to the web site, procedures, forms, and scheduled CM/ECF downtime.

A copy of the Court's Notice of Deficient Filing was also given to attorneys. This notice is useful as not only a deficient filing notice, but also as a filing requirement guide, complete with time periods.

Mrs. Evans included a copy of the changes in procedures regarding pre-confirmation amendments to Chapter 13 plans and post-confirmation modifications. The change to

the procedures and to the Clerk's responsibility to serve the amendments/modifications to the plan became effective on January 16, 2006.

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The Clerk's Office staff asked Mrs. Evans to bring five things to the attorneys' attention, in hopes that they will make things even better than they already are:

1. Our review of cases after the first 45 days disclosed that the documents missing more than others are the payment advices. Please do not forget that the Court created a form for you to use if your clients do not have payment advices to file with the Court.

2. The pre-petition tax returns are to be submitted to the Trustees, not filed with the Court.

3. There is a difference between the pre-petition credit counseling eligibility requirement and the post-petition financial management course required before discharge. The financial management course is to be completed after the petition is filed.

4. We have received scanned documents that are unreadable, their fonts are much too large, and some of them are sideways or upside down. Although the Court's CM/ECF Administrative Procedures are currently under revision, the current CM/ECF Administrative Procedures will help you with the appropriate format for electronic documents. These Procedures are posted on the Court's web site, so please use them to ensure that your e-documents are filed in the correct format.

5. As a reminder, the creditor attorneys are responsible for calendaring Reaffirmation Agreements in pro se cases. The reaffirmation in a pro se case is not valid until the Court approves it.

ANNOUNCEMENTS

The Atlanta Intake Counter will be remodeled as soon as the contractor sets his schedule. During the 2-months, it is expected to construct a new counter, plexiglass barriers, and public work stations. The Intake Counter will be temporarily relocated to an area next to the 13th floor mail room. We will post signs to direct you to the temporary Intake Counter.

Secondly, we anticipate CM/ECF downtime in late March or April. We will not schedule downtime during a foreclosure period. The

Court's IT staff will migrate to not only Version 3 of the CM/ECF software, but also to a Linux server. As mentioned above, it is critical for you to open and read the e-mail messages that you receive from Mike Smith. Mike will keep you posted and make your lives much easier as you schedule your work around the CM/ECF downtime.



COMMON DOCKETING ERRORS

1. Some attorneys have been linking the Chapter 13 Plan to the petition. This is not necessary.

2. The Pay Advices and Means Test should be included with the petition as one docket entry. Do not docket these two documents separately.

3. Docket the Certificate of Credit Counseling as a separate entry from the petition.

4. When the debtor or creditor has an apartment or suite number, that number goes above the actual address (e.g., John Smith, Apartment #5875, 2525 Main Street, Atlanta, GA 30303).

5. When entering an alias into your petition software, the aka., fka., dba., fdba needs to be before the name for case upload to attach it to the correct field. Contact your vendor for assistance.

6. Please be sure that you enter the party names on the docket exactly as they are listed on the voluntary petition or adversary complaint.

NEW PROCEDURES FOR FILING AMENDMENTS AND MODIFICATIONS

TO CHAPTER 13 PLANS

You can no longer file an Amended Chapter 13 Plan and Amended Schedules together in one PDF document! You must submit a separate PDF document for each and file them individually.

The Court has adopted new uniform procedures regarding pre-confirmation amendments to Chapter 13 plans and post-confirmation modifications of such plans. Attorneys may use these procedures immediately. They became mandatory on Monday, January 16, 2006.

There are now three Chapter 13 plan events located in the Plan category as follows: 01 Chapter 13 Plan - Initial Plan; 02 Chapter 13 Plan - Pre-Confirmation Amendment; and 03 Chapter 13 Plan - Post-Confirmation Modification/Notice. Prior to now, there has been an amended Chapter 13 plan event in the Other category, and it has been removed.

REMEMBER TO FILE PAYMENT ADVICES

BAPCPA § 521(a)(1)(B)(iv) requires individuals to file copies of payment advices or other evidence of payment received from an employer within 60 days before the petition is filed. A review of cases filed since October 17, 2005 indicates that in many instances debtors have failed to file copies of payment advices as required by § 521(a)(1)(B)(iv). This is important because § 521(I)(1) provides for the dismissal of the case if an individual debtor fails to file all of the information required under subsection (a)(1) within 45 days after the date of the filing of the petition.

When submitting payment advices through ECF, the attorney should select “Other,” “Payment Advices.” If a debtor is not going to be filing any payment advices or other evidence, either because of unemployment for 60 days prior to the filing of the case, self-employment, or another reason, counsel should still submit an explanation and file the explanation, selecting “Other,” “Payment Advices.”



ONLINE NEWSLETTER

This newsletter and previous issues are available for online viewing at <http://www.ganb.uscourts.gov>. Click the link for CM/ECF, the newsletter link under CM/ECF Reference Materials.

FEEDBACK

We value your participation and opinion!

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CONTACTS FOR CORRECTIONS

(Atlanta Division)

When you have found that an entry was made in error, (e.g., attaching the wrong document, incorrect party, wrong information entered, etc.), please contact the Assistant Supervisor for these corrections as follows:

For corrections or edits to cases assigned to Judges Mullins-CRM, Massey-JEM, Diehl-MGD or Bonapfel-PWB, *please e-mail* [Bernice Brown@ganb.uscourts.gov](mailto:Bernice.Brown@ganb.uscourts.gov)

For corrections or edits to cases assigned to Judges Drake-WHD, Murphy-MHM, Bihary-JB or Brizendine-REB, *please e-mail* Shannon-Whitworth@ganb.uscourts.gov

(Gainesville, Rome, Newnan Divisions)

For corrections or edits to cases filed in any of the divisional offices, please contact the office *directly* by phone.

Gainesville (678) 450-2700

Rome (706) 378-4000

Newnan (678) 423-3000

Atlanta Division - GANB-ATLA_Amendments@ganb.uscourts.gov

Gainesville Division - GANB-GAIN_Amendments@ganb.uscourts.gov

Newnan Division - GANB-NEWN_Amendments@ganb.uscourts.gov

Rome Division - GANB-ROME_Amendments@ganb.uscourts.gov



Procedure for Electronically Filing Amendments to Amend (or Correct) Social Security Number

1. Create an electronic version of Form B-21. This form does **not** have to be converted to .pdf format. The form is available on the Court's website at www.ganb.uscourts.gov under "Forms."
2. Electronically file the amendment including the **redacted** Social Security Number via CM/ECF.
3. Send an email to the Clerk's Office (*see appropriate Division e-mail addresses below*) indicating that an amendment has been filed to correct a Social Security Number. Include the electronic version of Form B-21 as an attachment to the email. This attachment can be in Corel Word Perfect, Microsoft Word, or as an Adobe PDF.
4. The Clerk's Office will make the necessary changes to the Debtor's Social Security Number in the CM/ECF program.

**Filing Requirements
and Document Order List
For Chapters 7 and 13**

B-21 Form (Social Security Number Verification) *Only submit with paper cases, not with electronically filed cases.*

Voluntary Petition

Statement of Financial Affairs

Schedules A - J

Statement of Intent (If Applicable)

Attorney Disclosure Statement

Summary

Declaration Concerning Debtor's Schedules

Statement of Monthly Net Income (Means Test)

Copies of Pay Advices (Stubs)

Notice to Individual Consumer Debtors (If Exhibit B is not signed on page 2 of petition.)

Matrix

Chapter 13 Plan (If Applicable) (To be docketed separately)

Application to Pay Filing Fee in Installments (To be docketed separately)

Employer Deduction Order (If Applicable) (To be created separately through EDO entry)

Certificate of Credit Counseling (To be docketed separately)

For Chapters 7 and 13 we need 1 Original + Disc or CD + Debtor's Copy

**Filing Requirements
and Document Order List
For Chapter 11**

B-21 Form (Social Security Number and/or Tax ID Number Verification) *File only with paper cases. Do not include with cases filed through the system.*

Voluntary Petition

Corporate Resolution

List of Equity Security Holders

20 Largest Unsecured Creditors

Statement of Financial Affairs

Schedules A - J (For Individuals)

Schedules A, B, D, E, F, G, H (For Business)

Attorney Disclosure Statement

Summary

Declaration Concerning Debtor's Schedules

Statement of Monthly Net Income (Means Test)(If Applicable)

Copies of Pay Advices (Stubs) (If Applicable)

Notice to Individual Consumer Debtors (If Exhibit B is not signed on page 2 of a petition.)

Matrix

Application to Pay Filing Fee in Installments (To be docketed separately)

Certificate of Credit Counseling (To be docketed separately)

For Chapter 11 we need 1 Original + Disc or CD + 3 copies

(Revised January 2006)

Northern District of GA - Bankruptcy Filings 2005

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OCTOBER BREAKDOWN BY DATES

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